

House File 553 - Introduced

HOUSE FILE _____
BY BAUDLER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the arrest of an identified unauthorized
2 alien.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2457HH 83
5 jm/rj/8

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1 1 Section 1. Section 811.1, Code 2009, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 4. A defendant who is an identified
1 4 unauthorized alien and is not lawfully present in the United
1 5 States.
1 6 Sec. 2. NEW SECTION. 811.1B UNAUTHORIZED ALIEN ==
1 7 NOTIFICATION.
1 8 The law enforcement agency responsible for the arrest of a
1 9 defendant who has been denied bail pursuant to section 811.1,
1 10 subsection 4, shall notify the United States immigration and
1 11 customs enforcement of the identification of the defendant as
1 12 an unauthorized alien not lawfully present in the United
1 13 States.
1 14 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection
1 15 3, shall not apply to this Act.
1 16 EXPLANATION
1 17 This bill relates to the arrest of an identified
1 18 unauthorized alien.
1 19 The bill denies bail to an identified unauthorized alien
1 20 arrested for a criminal offense.
1 21 The bill requires the law enforcement agency responsible
1 22 for the arrest of an unauthorized alien to notify the United
1 23 States immigration and customs enforcement about the defendant
1 24 who has been denied bail.
1 25 The bill may include a state mandate as defined in Code
1 26 section 25B.3. The bill makes inapplicable Code section
1 27 25B.2, subsection 3, which would relieve a political
1 28 subdivision from complying with a state mandate if funding for
1 29 the cost of the state mandate is not provided or specified.
1 30 Therefore, political subdivisions are required to comply with
1 31 any state mandate included in the bill.
1 32 LSB 2457HH 83
1 33 jm/rj/8